September 11 2009

Ed Smith CLERK OF THE SUPREME COURT STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 08-0499

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DAVID W. GUNDERSON,

Defendant and Appellant.

ORDER

Upon consideration of Appellant's motion for extension of time, and good cause appearing therefore,

IT IS HEREBY ORDERED that Appellant is granted an extension of time to and including October 21, 2009, within which to prepare, file, and serve its opening brief on appeal.

DATED this _____ day of September, 2009.